

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 3:20cv415-DPJ-FKB

THE REAL PROPERTY KNOWN AS
115 ROSEDOWNE BEND
MADISON, MISSISSIPPI 39110

DEFENDANT PROPERTY

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

The United States of America, through its undersigned attorney, brings this Verified Complaint for Forfeiture *in Rem*, in accordance with Rule G(2) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions (“the Supplemental Rules”), 18 U.S.C. § 985, and the Federal Rules of Civil Procedure, and alleges as follows:

NATURE OF THE ACTION

1. This is an action by the United States seeking forfeiture of real property located at 115 Rosedowne Bend, Madison, Mississippi 39110 (the “defendant property”). The defendant property is subject to forfeiture under 18 U.S.C. §§ 981(a)(1)(A) and (C), because the defendant property is real property involved in a transaction in violation of 18 U.S.C. §§ 1956 and 1957, and “constitutes or is derived from proceeds traceable to a ... a ‘specified unlawful activity’ (as defined in section 1956(c)(7) of this title)” The specified unlawful activity is theft or bribery concerning programs receiving Federal funds, in violation of 18 U.S.C. § 666(a)(1)(A). A violation of 18 U.S.C. § 666(a)(1)(A) is a specified unlawful activity pursuant to 18 U.S.C. § 1956(c)(7)(D).

THE DEFENDANT IN REM

2. The defendant property consists of the real property located at 115 Rosedowne Bend, Madison, Mississippi 39110, more specifically described as lot R-8 ROSEDOWN-BLOCK

“R” @ Reunion, a subdivision according to the map or plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, in Plat Cabinet E, Slide 50B-51A. This property is located within the Southern District of Mississippi.

JURISDICTION AND VENUE

3. This Court has jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture *in rem* under 28 U.S.C. § 1355.

4. Venue is proper in the Northern Division of the Southern District of Mississippi pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1395(a), because the acts and/or omissions giving rise to the forfeiture occurred in this district and/or pursuant to 28 U.S.C. § 1395(b), because the defendant property is located in this District.

BASIS FOR FORFEITURE

5. The defendant property is subject to forfeiture under 18 U.S.C. §§ 981(a)(1)(A) and (C), because the defendant property is real property involved in a transaction in violation of 18 U.S.C. §§ 1956 and 1957, and “constitutes or is derived from proceeds traceable to a ... a ‘specified unlawful activity’ (as defined in section 1956(c)(7) of this title) ...”, in violation of 18 U.S.C. § 666 (Theft or bribery concerning programs receiving Federal funds). The specified unlawful activity is theft or bribery concerning programs receiving Federal funds, in violation of 18 U.S.C. § 666(a)(1)(A). A violation of 18 U.S.C. § 666(a)(1)(A) is a specified unlawful activity pursuant to 18 U.S.C. § 1956(c)(7)(D).

6. Title 18, United States Code, Section 981(a)(1)(A) makes subject to forfeiture to the United States “[a]ny property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956, 1957 or 1960, or any property traceable to such

property.” Title 18, United States Code, Section 981(a)(1)(C) makes subject to forfeiture to the United States “[a]ny property, real or personal, which constitutes or is traceable to a violation of any offense ... constituting “specified unlawful activity” (as defined in 18 U.S.C. § 1956(c)(7)), or a conspiracy to commit such offense.” The specified unlawful activity is Theft or bribery concerning programs receiving Federal funds, in violation of 18 U.S.C. § 666(a)(1)(A). A violation of 18 U.S.C. § 666(a)(1)(A) is a specified unlawful activity pursuant to 18 U.S.C. § 1956(c)(7)(D).

7. Title 18, United States Code, Section 981(f) provides that “[a]ll right, title, and interest in property described in subsection (a) of this section shall vest in the United States upon commission of the act giving rise to forfeiture under this section.”

FACTS AND CIRCUMSTANCES

8. A detailed account of the facts and circumstances giving rise to this forfeiture action is set out in the Declaration of Federal Bureau of Investigation (FBI) Task Force Officer George Collins, attached hereto as Exhibit “A” and fully incorporated herein by reference.

CLAIM FOR RELIEF

9. The defendant property has not been seized but is located within this district and within the jurisdiction of the Court. The United States does not request authority from the Court to seize the defendant property at this time. The United States will file a *lis pendens* in the county record on the defendant real property and will, as provided by 18 U.S.C. § 985(c)(1):

- a. Post notice of this action and a copy of the Verified Complaint for Forfeiture *In Rem* on the defendant property; and
- b. Serve notice of this action on the defendant property owner(s), and any other person or entity who may claim an interest in the defendant property, along with a

copy of this Complaint.

10. Plaintiff United States prays that process issue to enforce the forfeiture of the defendant property and that all persons having an interest in the defendant property be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the defendant property to the United States for disposition according to law and that this Court grant the United States such further relief as this Court may deem just and proper, together with the costs and disbursements in this action.

RESPECTFULLY SUBMITTED, this the 22nd day of June, 2020.

Deborah Connor, Chief
Money Laundering and Asset Recovery Section
Criminal Division
U.S. Department of Justice

By:



Kerry Blackburn
Oklahoma Bar (22918)
Trial Attorney
Money Laundering and Asset Recovery Section
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VERIFICATION

I, George Collins, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the FBI, that I have read the foregoing Verified Complaint for Forfeiture *in Rem* and know the contents thereof, and that the matters contained in the Verified Complaint for Forfeiture *in Rem* are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States of America, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as an FBI Task Force Officer.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

This, the 22nd day of June, 2020.



GEORGE COLLINS
Task Force Officer
Federal Bureau of Investigation

SUBSRIBED and SWORN before me on the 22nd day of June, 2020



HONORABLE LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE